

REMARKS

The Applicant appreciates the thorough review of the Application by the Examiner and the indication of allowable subject matter. Allowance of all claims as amended is respectfully requested. By this Amendment, Claim 1 has been amended to resolve formal matters and overcome the 35 U.S.C. 112, second paragraph rejection and to more clearly distinguish from the cited references.

The claim now states that the under-carriage is lowered between the two belt sections, as described on Page 2, lines 13-16 of the Specification. Note also that the Specification distinguishes between a suspended belt section and a suspended belt unit (Page 2, lines 25-30). New Claim 2 adds the canceled subject matter of Claim 1. Claims 1 - 2 are now pending in the application, including independent Claim 1.

Claim 1 is patentable under 35 U.S.C. 102(b) over Hudis (USPN 3,664,448).

Hudis does not solve the problem solved with the present invention. If the frame construction 21 is considered as an under carriage, the protruding parts are the separate legs 24, which are arranged in the same level as the frame 21. Then the crawler carriage 32 is placed beneath the frame 21.

As in appears from the drawings, e.g. fig. 13, the leg 24 which is the protruding part would be in the same plane as the frame 21, which is the under carriage. Therefore the crawler carriage 32 is arranged beneath the frame.

For an invention to be anticipated, it must be demonstrated that each and every element of the claimed invention is present in the "four corners" of a single prior art, either expressly described therein or under the principle of inherency. Lewmar Marine Inc. v Barient Inc., 3

USPQ2d 1766, 1767-1768 (Fed. Cir. 1987) (emphasis added). The absence from a prior art reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible, Inc., 230 USPQ 81, 84 (Fed. Cir. 1986).

Although Applicant disagrees with the rejections of record, Claim 1 has been amended to more clearly distinguish from the cited references. Claim 1 as amended differs from Hudis at least in that it teaches that the under-carriage in its lowered position is lowered down between the two belt sections. The foremost protruding part and hindmost protruding part in the present invention are an extension of the upper part of the under carriage in such a way that the crawlers are arranged so that a lowered position would involve that the crawlers 2 arranged in a position beside the under carriage as illustrated in fig. 2. This is clearly different from the Hudis technology.

Claim 1 is also distinguished from Hudis in that it teaches that at least one belt unit is suspended vertically movable. The Examiner argues that "each belt is movable vertically and is pivotable about a transverse pivot axis 35 for vertical movement." However, Claim 1 does not refer to a belt but to a belt unit, which includes the protruding part, as shown in Figure 4 and described on Page 2, lines 25-30. Hudis does not teach a protruding part that is pivotable vertically about a transverse axis.

Therefore, Hudis does not teach or suggest each and every limitation of Claim 1. For at least the above reasons, the rejection of Claim 1 under 35 U.S.C. 102(b) over Hudis is improper and should be withdrawn.

Claim 1 is patentable under 35 U.S.C. 102(b) over Crane (USPN 4,977,971).

Looking into Crane one would see that it is a specific robotic vehicle. The main body 12 is considered by the Examiner to be an under carriage. From the description and the figures it clearly appears that the connections with the arms 14 are arranged beneath the main body 12 under carriage. The actuator housing 16 is considered to be a protruding part. It clearly appears that the actuator housing is arranged in the same plane as the main body 12 or is a part of the main body 12.

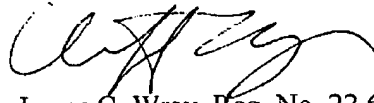
Therefore the legs which are connected to the joint 20 are arranged beneath the protruding part. However, the arrangement is also beneath the under carriage. Therefore, Crane does not teach or suggest that the under-carriage in its lowered position is lowered down between the two belt sections. Furthermore, Crane does not teach or suggest at least one belt unit is suspended vertically movable. As explained above, the claim requires that the entire unit, including protruding part, be pivotable so that the vehicle can be lifted free of a hilltop.

Therefore, Crane does not teach or suggest each and every limitation of Claim 1. For at least the above reasons, the rejection of Claim 1 under 35 U.S.C. 102(b) over Crane is improper and should be withdrawn.

CONCLUSION

Reconsideration and allowance of all claims are respectfully requested.

Respectfully,



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